

EXHIBIT 1

INTRODUCTION

Respondent Vincent Reyes is an appointed member of the Planning Commission for the City of Oakland. Pursuant to Government Code section 87203, Mr. Reyes is required to file annual Statements of Economic Interests ("SEIs") disclosing his financial interests. Respondent failed to timely file his 1998 SEI, on or before the April 1, 1999 due date.

This case was handled on an expedited basis pursuant to the SEI Expedited Procedures adopted by the Commission in July 1999.

For purposes of this Stipulation, the violation of the Political Reform Act ("Act")¹ is as follows:

COUNT 1: Failure to timely file a 1998 annual Statement of Economic Interests, in violation of Government Code section 87203.

SUMMARY OF THE LAW

In order to avoid conflicts of interest, section 81002, subdivision (c) provides that the assets and income of public officials, that may be materially affected by their official actions, should be disclosed, and in appropriate circumstances the officials should be disqualified from acting.

In furtherance of this purpose, section 87202 specifies that every person who is elected, appointed, or nominated to an office specified in section 87200 shall, within 30 days after assuming office, file an assuming office SEI disclosing his or her investments, and his or her interests in real property, held on the date of assuming office, and income received during the 12 months before assuming office.

Section 87203 requires every person who holds an office specified in Section 87200 to file an annual SEI at a time specified by Commission Regulations. Respondent, as a planning commissioner, is a person who holds an office specified in section 87200. Pursuant to Regulation 18723, subdivision (b)(2), planning commissioners must file an annual SEI by April 1st of each year.

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations section 18000, *et seq.* All references to regulations are to Title 2, Division 6 of the California Code of Regulations unless otherwise indicated.

SUMMARY OF THE FACTS

In January of 1995, Mr. Reyes was appointed to the City of Oakland Planning Commission. As a planning commissioner, Mr. Reyes is required to file an annual SEI with the Oakland City Clerk by April 1st of each year. Mr. Reyes failed to file his 1998 annual SEI by the April 1, 1999 due date.

On March 2, 1999, the Oakland Deputy City Clerk sent a letter to Mr. Reyes reminding him that he needed to file his 1998 annual SEI by the April 1, 1999 deadline. On April 5, 1999, the Deputy City Clerk sent a letter to Mr. Reyes stating that she had not received his SEI, and requested that he file it immediately. The letter advised Mr. Reyes that he was liable for a late filing penalty of \$10 per day, up to a maximum penalty of \$100.

On April 5, 1999, the Deputy City Clerk referred the matter of Mr. Reyes' delinquent filing to the Commission. On April 29, 1999, and June 11, 1999, commission staff sent a letter to Mr. Reyes requesting that he file his 1998 annual SEI.

On August 26, 1999, Commission Investigator Motmans tried to contact Mr. Reyes regarding his failure to file his 1998 annual SEI by leaving a voice-mail message at Mr. Reyes' business telephone number. On August 27, 1999, Investigator Motmans left a second voice-mail message at Mr. Reyes' business telephone number, and again received no response. On October 20, 1999, Commission Staff Counsel left a voice-mail message for Mr. Reyes requesting that he file his 1998 annual SEI. Mr. Reyes filed his SEI on December 11, 1999, after being served with a Report in Support of Finding of Probable Cause.

CONCLUSION

Mr. Reyes failed to file his 1995 Annual SEI in a timely manner.

This matter consists of one count which carries a maximum possible administrative fine of two thousand dollars (\$2,000.00). The facts of the case justify imposition of the agreed upon fine of seven hundred and fifty dollars (\$750.00).